

JC20 Rec'd PCT/PTO 08 JUL 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION OF: Axel Gerlt et al.

SERIAL NO: Not assigned GROUP ART UNIT: Not assigned

FILED: Herewith EXAMINER: Not assigned

CUSTOMER NO.: 27162

FOR: ORGANO-RESISTIVE MEMORY UNIT

ATTY/DKT NO.: 411000-136

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR:

Pursuant to 37 C.F.R. §1.56(a), Applicant(s) hereby cite(s) the enclosed documents listed on the attached copy of Form PTO-1449 which are believed to be material to the patentability of the above-identified application.

This Information Disclosure Statement is filed in accordance with the paragraph of 37 CFR §1.97 indicated below:

X §1.97(b) This Information Disclosure Statement is filed:

- (1) Within three months of the filing date of a national application; OR
- (2) Within three months of the date of entry of the national stage of an international application; OR
- (3) Before the mailing of a first Office Action on the merits.  
No fee or statement is required.

       §1.97(c) This Information Disclosure Statement is filed after the period specified in paragraph (b) above, but before the mailing date of either:

- (1) A Final Action or under 37 CFR §1.113; OR
- (2) A Notice of Allowance under 37 CFR §1.311; AND

is accompanied by either: (check one)

       The statement as specified in 37 CFR §1.97(e) set out

below; OR

       The fee of \$180.00 under 37 CFR §1.17(p).

JC20 Rec'd PCT/PTO 08 JUL 2005

§1.97(d) This Information Disclosure Statement is filed after the mailing date of either:

- (1) a Final Action or under 37 CFR §1.113; OR
- (2) A Notice of Allowance under 37 CFR §1.311;

BUT filed on or before payment of the Issue Fee; AND  
is accompanied by:

- (1) The statement as specified in 37 CFR §1.97(e) as set forth below; AND
- (2) Petition is hereby made under 37 CFR §1.97(d) for consideration of this Information Disclosure Statement; AND,
- (3) The petition fee of \$180.00 set out in 37 CFR §1.17(i).

X §1.97(e) The undersigned Attorney hereby states that:

X each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of this Information Disclosure Statement; or

— no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, or to the knowledge of the undersigned Attorney after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing date of the Information Disclosure Statement.

The Commissioner is authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 03-0678.

Respectfully submitted,  
Axel Gerit et al.

William Squire  
Reg. No. 25,378  
CARELLA, BYRNE, BAIN, GILFILLAN,  
CECCHI, STEWART & OLSTEIN  
5 Becker Farm Road  
Roseland, NJ 07068  
Tel: (973)994-1700  
Fax: (973)994-1744

<p>Substitute for form 1449A/PTO</p> <p><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b></p> <p><i>(Use as many sheets as necessary)</i></p>				<i>Complete if Known</i>	
				Application Number	
				Filing Date	
				First Named Inventor	
				Group Art Unit	
				Examiner Name	
Sheet	1	Of	2	Attorney Docket Number	411000-136

<b>U.S. PATENT DOCUMENTS</b>					
Examiner Initial*	Cite No. <sup>1</sup>	Document Number Number-Kid Code <sup>2</sup> (if known)	Publication- Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-			

<b>FOREIGN PATENT DOCUMENTS</b>					
Examiner Initial*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication- Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		EP 0 268 370 A2	05-25-1988	Canon KK	See search report <input checked="" type="checkbox"/>
		EP 0 268 370 A3	05-25-1988	Canon KK	<input checked="" type="checkbox"/>
		WO 01/03126	01-11-2001	Clausen et al.	<input checked="" type="checkbox"/>
		WO 02/071139 A1	09-12-2002	Acro AB	<input checked="" type="checkbox"/>
		WO 02/071505 A1	09-12-2002	Acro AB	<input checked="" type="checkbox"/>
		WO 02/076924	10-03-2002	Sato Takaya	<input checked="" type="checkbox"/>
		WO 02/076924 (abstract)	10-03-2002	Sato Takaya	<input checked="" type="checkbox"/>
		WO 02/091495	11-14-2002	Coatue Corp.	<input checked="" type="checkbox"/>

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.  
#262950

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<p>Substitute for form 1449A/PTO</p> <p><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b></p> <p><i>(Use as many sheets as necessary)</i></p>				<p><i>Complete if Known</i></p>	
				Application Number	10/541815 Not assigned
				Filing Date	Herewith
				First Named Inventor	Axel Gerlt
				Group Art Unit	Not assigned
				Examiner Name	Not assigned
Sheet	2	Of	2	Attorney Docket Number	411000-136

## NON PATENT LITERATURE DOCUMENTS

Examiner Signature \_\_\_\_\_ Date Considered \_\_\_\_\_

**\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.**

**1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.**

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450**

*If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.*